



Brussels, 8 December 2006

DRAFT
BACKGROUND¹
GENERAL AFFAIRS and EXTERNAL RELATIONS COUNCIL
Monday 11 December in Brussels

*The Council will start at 9.30 hrs with a session on general affairs, focusing on preparation of the **European Council** in Brussels on 14 and 15 December, as well as EU **enlargement** as regards, in particular, accession negotiations with Turkey and Croatia.*

*A session on external relations will follow, featuring the **Western Balkans, Afghanistan** and relations with **China**.*

*Lunch discussion items: **Middle East** peace process, **Iran**, the control of **arms exports** and the EU's **arms embargo on China**.*

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Main press conference: at the end of the Council's work (+/- 17.00)

Press conferences and public events can be followed by video streaming:
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In the margins of the Council:

18.00 Accession Conference with Croatia

18.30 Stabilisation and Association Council with FYROM (*followed by a press conference (+/ 20.45).*)

12 December 2006:

10h45 EEA Council

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¹ This note has been drawn up under the responsibility of the press office

SESSION ON GENERAL AFFAIRS

Preparation of the European Council

The Council will examine draft conclusions prepared by the presidency for the European Council meeting to be held in Brussels on 14 and 15 December.

The issues to be addressed by the European Council are:

- EU enlargement: including enlargement strategy, Turkey and Croatia;
- Justice and home affairs, in particular migration policy;
- Innovation, energy and climate change;
- External relations: including relations with Africa, European neighbourhood policy and the Middle East.

The European Council will also hear an assessment by the presidency of its consultations with the member states regarding the EU constitutional treaty.

An annotated draft agenda was discussed by the Council at its session on 13 November; the permanent representatives committee has since been preparing the European Council on the basis of the draft conclusions.

Enlargement - Bulgaria, Romania, Turkey and Croatia

The Council is expected to adopt conclusions on enlargement of the EU, in the light of a number of Commission documents and in the context of preparations for the European Council's deliberations on the subject (see previous item).

The draft conclusions deal with the accession of Bulgaria and Romania on 1 January 2007 and with accession negotiations with Turkey and Croatia.

The Commission presented in early November a communication covering all aspects of future enlargements, including a special report on the EU's capacity to integrate new members. It also presented progress reports on candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia and on the other Western Balkans: Albania, Bosnia and Herzegovina, Kosovo, Montenegro and Serbia.

Operational programme of the Council

- *public debate*

The future German, Portuguese and Slovenian presidencies will present a draft operational programme of the Council for 2007 and the first half of 2008. (16158/06)

The document contains a strategic framework, established in consultation with the subsequent three presidencies, a list of specific priorities in each policy area and a comprehensive programme setting out the issues that are expected to be covered during the 18-month period.

It highlights the following specific priorities:

- The future of the Union;

- The Lisbon strategy for jobs and growth;
- Strengthening the EU's area of freedom, security and justice;
- Enhancing the role of the EU externally in the areas of security, development and economic relations.

The three presidencies will finalise the programme in the light of the Council's discussion.

SESSION ON EXTERNAL RELATIONS

Note: the European Council on 14-15 December is due to examine a number of foreign policy issues, including relations with Africa, the European neighbourhood policy and the Middle East.

Western Balkans

The Council will discuss progress reports on the Western Balkans, presented by the Commission in the context of the EU's enlargement strategy (see above). It will review the situation in the region and is due to adopt conclusions focusing on:

- a clear European perspective for the Western Balkans and a fair and rigorous conditionality; the need for full cooperation with the ICTY;
- Albania: welcoming the entry into force of a stability and association interim agreement, whilst emphasising the importance of continued progress on judicial, political and economic reforms, including the fight against organised crime and corruption, as well as freedom of the media;
- Bosnia and Herzegovina: regretting that important issues remain to be tackled in negotiations on a stabilisation and association agreement, notably reform of the police and the judiciary;
- the former Yugoslav republic of Macedonia: regretting that the pace of reforms has slowed in 2006, whilst calling for intensified efforts in reforms of the police and judiciary and the fight against organised crime and corruption, and as regards the independence and capacity of public administration;
- Montenegro: calling for the adoption of a new constitution, in line with European standards, and for further efforts in enhancing administrative capacity and pursuing judicial reform, the fight against organised crime and corruption and the independence of the media;
- Serbia: welcoming progress in strengthening administrative capacity and macroeconomic stability, whilst calling for intensified efforts in reform of the judiciary and improving civilian oversight of the security sector.

- Serbia/Kosovo: noting progress in Kosovo in the transfer of responsibilities to the provisional institutions of self-government, whilst emphasising the need for further efforts regarding the rule of law and the independence of the judicial system, the fight against organised crime and corruption, macroeconomic stability, and in particular, the protection of minorities and cultural heritage.

Middle East peace process

Over lunch, ministers will discuss the situation in the Middle East. HR Solana is expected to report on his visit to the region in the beginning of December.

At its November meeting, the Council expressed its deep concern at the escalating violence in Gaza and in the West Bank. It urged the Palestinians to work for national unity and to form a government with a platform reflecting the Quartet principles and allowing for early engagement. It reiterated the necessity of a political perspective and reinvigorating the peace process through re-launching negotiations. Finally it remains deeply concerned at the deteriorating humanitarian situation in Gaza and the West Bank, recalled its commitment to help the Palestinian people and noted that the EU's combined assistance in 2006 exceeded EUR 650 million.

Ministers are also likely to discuss Lebanon, notably in the context of recent events including the assassination of minister Gemayel on 21 November and opposition demonstrations. They should also discuss prospects for the Paris Conference on reconstruction in January 2007. At its November meeting, the Council encouraged all Lebanese parties to reach consensus and to resume the process of national dialogue and reiterated its commitment to supporting the legitimate and democratically elected Lebanese government and its efforts to stabilise the situation in the country and to maintain its unity. It renewed its determination to support the full implementation of UNSCR 1701.

Iran

Over lunch, ministers will assess the state of play regarding Iran and the Iranian nuclear issue.

Meeting in Paris on 5 December, political directors of the permanent members of the UN Security Council as well as Germany and a representative of HR Solana made substantial progress on the scope of sanctions to be contained in a UNSC resolution, while further discussion was still to take place on other issues. Discussions will continue in New York.

In October, the Council considered that Iran's continuation of enrichment related activities had left the EU no choice but to support consultations on appropriate measures under Article 41 of the UN Charter, as envisaged by UN Security Council Resolution 1696. It noted that the door to negotiations nevertheless remained open.

Afghanistan

Ministers will discuss the situation in Afghanistan. In its conclusions, the Council is expected to reaffirm the EU's commitment to long-term support for the people and government of Afghanistan.

It will also highlight the significant progress achieved by the country since 2001, including the establishment of representative political institutions and gains in a number of sectors such as health

and education, but also the serious challenges facing Afghanistan at this juncture.

Such challenges, which threaten to undermine achievements to date, affect sectors such as security, drug production, human rights, the rule of law, governance, justice, anti-corruption and economic development. Urgent, coordinated steps must be taken by the Afghan government with the support of the international community to face up to these challenges. The EU will continue to play its part.

In this respect, the Council is expected to recall that the EU collectively provides around one third of international aid to Afghanistan (EUR 3.7 billion in 2002-2006) and that Member States have played leading coordinating roles in particular sectors and have made large contributions to security, including through current provision of around half the International Security Assistance Force (ISAF) troops.

The Council is likely to underline the importance of increasing EU engagement in the rule of law sector, where progress, including in the police and justice fields, is essential to the security and long term stability of Afghanistan. A Fact-Finding Mission is currently in Afghanistan to examine the opportunities and conditions for a potential civilian ESDP mission in the field of policing with linkages to the wider rule of law.

Relations with China

The Council will discuss EU-China relations, notably on the basis of a Commission communication "EU-China: closer partners, growing responsibilities".

The Council will express its strong commitment to the maturing of the EU's comprehensive strategic partnership with China. It is expected to note that for this partnership to develop to its full potential, it must be balanced, reciprocal and mutually beneficial. It should also point out that the partnership is increasingly focused on addressing global challenges, and that China plays a key role in the effective international response to these issues. The EU and China have important international commitments and responsibilities, and must both work hard to deliver them, in the interest of wider international security and stability and to strengthen an effective, fair, just and rules-based multilateral international system, with the United Nations at its centre.

The Council is due to adopt detailed conclusions on the EU-China partnership. Taken together, the conclusions and the Commission contributions will constitute a comprehensive review and restatement of EU policy towards China.

The Council conclusions are expected to cover a broad range of issues including contractual relations (negotiations for a future single and over-arching EU-China Partnership and Co-operation Agreement), East Asian and international issues, energy security, climate change and protection of the environment, China's economic and social development, human rights, trade and economic relations and people-to-people exchanges.

Over lunch, ministers are expected to briefly address the issue of the China arms embargo.

Control of arms exports

Over lunch, ministers are also due to discuss a draft common position defining common rules on the control of exports of military technology and equipment. The draft common position builds on the EU Code of Conduct on arms exports introduced in 1998. Like the current Code, it would apply to

all arms exports by Member States to any third country. However, the draft common position would be legally binding. It would update and strengthen EU export control standards by including new elements such as those pertaining to respect for international humanitarian law, brokering, transit, transshipment and licensed production.

Other items to be approved
(including:)

- **Indonesia/Aceh** - Council conclusions welcoming the significant progress made in restoring peace and stability in the Indonesian province of Aceh since the signing of the Helsinki Memorandum of Understanding in August 2005, a visible manifestation of this progress to date being the 11 December Aceh local elections. The Council will also express its satisfaction at the important role played by the EU-led Aceh Monitoring Mission, which will conclude its mandate on 15 December, in monitoring and supporting the peace process.
 - **Presidency report on the European Security and Defence Policy (ESDP)** - Approval of the report with a view to its referral to the European Council.
 - **Report on "The EU and Africa : Towards a Strategic Partnership - The Way Forward and Key Achievements in 2006"** - Approval of the report with a view to its referral to the European Council.
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